



IAP13 Rec'd PCT/PTO 19 DEC 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dr. Benno SYFRIG : Mail Stop: ACCOUNTING DIVISION
REFUND BRANCH

Serial No. 10/541,233 :

Filed July 1, 2005 : Attorney Docket No. 2005_1058A
Confirmation No. 4041

METHOD AS WELL AS DEVICE FOR EXTRACTION OF A ROOT

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests a refund of \$65.00 charged to Deposit Account No. 23-0975 on April 27, 2006. The corresponding fee code indicates the charge is for a search fee, exam fee or oath or declaration after 30 months from the priority date. The applicant asserts the charge is incorrect.

Applicant's attorney filed an executed declaration on July 1, 2005. The declaration had an improper date of January 1, 2003. The actual date was to be January 3, 2003. The PTO was notified via "Notification of Correct Filing Date of Priority." Either date would not have made the declaration filing untimely. Although the Applicant's attorney received a "Notification of Missing Requirements" on February 23, 2006 (copy enclosed), it was later withdrawn on April 20, 2006. A copy of the withdrawal is enclosed as well. The withdrawal did not cause the PTO to automatically refund our improper charge, so we hereby request a refund of \$65.00.

Kindly credit the refund of \$65.00 to the deposit account of undersigned, no. 23-0975. If

there are any questions regarding this matter, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246.

Respectfully submitted,

Dr. Benno SYFRIG

By 

Michael S. Huppert
Registration No. 40,268
Attorney for Applicant

MSH/dsr

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December 19, 2006

2005_1058A



COPY

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UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,233	Benno Syfrig	2005_1058A
INTERNATIONAL APPLICATION NO.		
513 PCT/EP03/14923		
LA. FILING DATE	PRIORITY DATE	
12/27/2003	01/03/2003	

513
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

CONFIRMATION NO. 4041
371 FORMALITIES LETTER

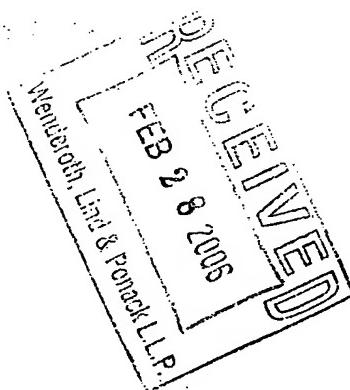
OC000000018102803

Date Mailed: 02/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/01/2005
- English Translation of the IA filed on 07/01/2005
- Copy of the International Search Report filed on 07/01/2005
- Preliminary Amendments filed on 07/01/2005
- Information Disclosure Statements filed on 07/01/2005
- Oath or Declaration filed on 07/01/2005
- Request for Immediate Examination filed on 07/01/2005
- Copy of references cited in ISR filed on 07/01/2005
- U.S. Basic National Fees filed on 07/01/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

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PCT/EP03/14923

I.A. FILING DATE	PRIORITY DATE
12/27/2003	01/03/2003

CONFIRMATION NO. 4041

371 WITHDRAWAL NOTICE



OC000000018555863

Date Mailed: 04/20/2006

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

It has come to the attention of the Office that the Notice mailed on 02/23/2006 was sent in error. Please disregard that Notice. The application is complete and will be processed for examination. The Official Filing Receipt is enclosed. We apologize for any inconvenience this has caused.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

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